

March 6, 2012

Co-Chair Terry B. Gerratana
Select Committee on Children
Room 011, Capitol Building
Hartford, CT 06106

Subject: Support for Raised Senate Bill 296

Dear Co-Chair Gerratana,

My name is Paul Schibbelhute I am a birthfather and have been reunited with my son since 1998. My son was born in Hartford Connecticut in 1977. I am the New England Regional Director of the American Adoption Congress. I come here today in support of SB 296.

This bill is about restoring the right for all adult adoptees 21 years of age or older, born in Connecticut to obtain a non-certified copy their Original Birth Certificates (OBC) from the Vital Records Office (VRO) just like every other citizen of Connecticut. A right that was retroactively taken away by the legislature in 1974.

“This is a human rights issue, adoptees should be able to go to the vital records office and get a copy of their original birth certificate just like any other citizen in Connecticut”

“I believe without question my sons right to know information about his birthparents will always trump my right to any perceived right to privacy.”

How does SB 296 change the law?

SB 296 is legislation that is almost identical to the legislation that has recently passed in New Hampshire, Maine and Rhode Island. It is legislation that respects the rights of adult adoptees to obtain their original birth certificates as well as respecting the rights of birth parents to express their desire for contact with their biological children.

- Adoptees 21 years old or older can request a non-certified copy of their original birth certificate by filling out a form and sending it to the VRO
- The new law will allow a birth parent to fill out a Contact Preference Form to express their desire for contact with their biological child in one of the three following ways:
 - a) I would like to be contacted
 - b) I would like to be contacted but through an intermediary of my choosing, i.e. the placing agency, personal friend, etc.
 - c) I do not want to be contacted.
- If a birth parent chooses not to be contacted, they may fill out a Birth Parent Updated Medical History form. These forms will be placed in the adoptee's file at Vital Records Office and will be given to an adoptee when he/she requests a copy of the original birth certificate. Adoptees and birth parents will be able to go to the Connecticut Vital Records website for detailed information on the new law and how to fill out the new forms.

- Adoptees have been searching for their birth families in Connecticut and across the country for decades. At this time there is no mechanism in place for birth parents to let their biological child know if they want to be contacted or not. With the contact preference option in SB 296 there will be a mechanism for birthparents to express their desire for contact with their adult adopted child where one does not exist today.

Access to OBC Legislation in New England and the United States

- Legislators in New Hampshire (2004), Maine (2007) and Rhode Island (2011) have passed legislation similar to SB 296 with nearly 70% of each states legislators voting in favor of restoring the "**human right**" to its native born adult adoptees to obtain their OBC.
- Legislators overwhelming believed that this is legislation that balances the rights of adoptees to receive their OBC while allowing birthparents to indicate their desire for contact by their birth son or daughter.
- Ten states have passed legislation or have always allowed adult adoptees access to their original birth certificates including Alabama, Alaska, Delaware, Illinois, Kansas, New Hampshire, Maine, Oregon, Rhode Island and Tennessee.

Confidentiality for birthmother

I think in Connecticut the evidence is clear that birth parents identity could never be fully protected.

- For example an adoptee can petition the court to get his or her identifying information.
- Many adoptees have used the internet to search and have found their birth parents.
- In Connecticut it is the adoptive parents who decide whether or not the adoptees original birth certificate is sealed in the first place.
- Certainly any birth parent who surrendered their children for adoption prior to the legislature sealing original birth certificates from adoptees in 1974, knew without question that their names someday would be accessible by their biological child.
- From a 1983 Affidavit/Consent to Termination of Parental Rights (T.O.P.) form published by the State of Connecticut, Superior Court/Court of Probate, clearly states:

"I further represent that I am aware that the child upon reaching his 18th birthday, may have the right to information which may identify me (the birth parent) or other blood relatives"

- Also on this form it is required that the birth parent sign the form to acknowledge that she/he understands the contents of the T.O.P. form. Additionally, a representative of the

court either a Judge, Assistant clerk, Notary Public or Commissioner of the Superior Court must indicate by signature, that the T.O.P. form has either been read by or read to the birthparent and that she/he understood the content.

- Since no T.O.P. form has been located for adoptions from 1975 to 1982 it is unclear if the same “right to identifying information” statement was read to birth parents during that period. It would be difficult to understand the logic why this same statement would not have been on the T.O.P. during this time period. This could easily be resolved by the probate court by providing a copy of the T.O.P. form that was in place during that time period.

Vital Records:

- Maine, New Hampshire and Rhode Island all implemented this new law into their policies and procedures without a fiscal note.
- New Hampshire Vital records has issued almost 1500 OBC's since 2005
 - Generate almost over \$21,000
 - In the seven years only of the 25,000 adoptions that have taken place in NH only 12 birth parents have requested not to be contacted.
- We project that Rhode Island VRO will issue 1948 OBC's in the first year generating approximately \$58,000 and will issue almost 3200 OBC and generate \$96,000 in the first 5 years after the new law passes. See report in folders

No reports of any negative consequences or impact to adoption in those states that have passed access to original birth certificate legislation

- No reports of any lawsuits or negative impact or consequences to adoption in those states that have restored the right for adoptee to obtain their OBC's
- Report of the Catholic Dioceses or their representatives in those states all indicate that there have been no negative consequences to adoption after passing legislation for adoptees to obtain their OBC. See report
- Opponents of this bill proclaim abortions would increase while adoptions decrease. In the states that have passed almost identical legislation none of the grave concerns voiced by the opposition have come true.
 - As of 2007 Oregon and Alabama abortion rates have declined at least 10% compared to only a 2% decline in abortions nationally.
 - In Oregon after adoptee access, a six-year decline in adoptions stopped and abortion numbers leveled off.
- The assumption that abortions will rise and adoptions will fall is absolutely false. In states that allow adoptees to access their birth certificates, the abortion rate is generally lower than the national average, while adoption rates are higher.

- Denying adult adopted person's access to information related to their births and adoptions has potentially serious, negative consequences with regard to their physical and mental health. As recognized by the U.S. Surgeon General's office in its Family History Initiative, biological family medical history is vital to prevention, early diagnosis and treatment, particularly with regard to diseases and conditions for which individuals may be genetically predisposed, such as heart disease, cancer, and certain mental health conditions. (EBDI 11/07)
- ***Reunion Registries do not work and have a terrible success rate.*** Since 1978 when Maine created its reunion registry only 65 people have been reunited. In January 2005 the first week New Hampshire began to issuing original birth certificates 149 adoptees receive information about their birth family. More people received information in one week in New Hampshire about the birth families than in 33 years in Maine through the reunion Registry.

"Access to original birth certificates is a human rights issue, reunion registries are for people who want to be reunited"

Results from a survey performed by the Center for Survey Research & Analysis at the University of Connecticut indicate that more than four in five Connecticut residents (85%) and 82% of Connecticut's registered voters would support a law that would allow adult adopted children to obtain copies of their original birth certificate. ***ACCESS CONNECTICUT*** believes it's time for the Connecticut legislature to listen to their constituents and restore the human right for Connecticut born adult adoptees to obtain copies of their original birth certificates.

SB 296 is legislation that balances the rights of adoptees to receive their OBC while allowing birthparents to indicate their desire for contact by their birth son or daughter. This bill is about restoring the "***human right***" to adult adoptees to be treated just like everyone else in the state of Connecticut. I urge this committee to pass this legislation. It was the right thing to do in NH, Maine and Rhode Island. It's the right thing to do here in Connecticut.

Sincerely,
 Paul Schibbelhute
 Legislative advisor
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